

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING \_\_\_ February 23, 1966

Appeal No. 8569 American University, Appellant.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 4, 1966.

EFFECTIVE DATE OF ORDER -- April 12, 1966

**ORDERED:**

That the appeal to construct an 8-story dormitory and roof structures in accordance with Section 3308 of the Zoning Regulations, as amended to include an appeal to construct two annexes to the existing Asbury Administration Building, both structures located at 3500 Nebraska Avenue, NW., lot 1, square 1600, be granted.

From the records and the evidence adduced at the public hearing, the Board finds the following facts:

(1) At the hearing, the Board authorized the amendment of this appeal to include the appeal to construct two annexes to the Asbury Administration Building consisting of two wings attached to the existing building, each wing containing three stories, plus basement, with roof structures.

(2) Appellant states that proposed Dormitory "K" will be constructed in accordance with the master plan approved by the Board in Appeal #8011 dated December 22, 1964.

(3) One change is contemplated -- the master plan showed the dormitory attached to the northerly side of McDowell Hall. Plans now call for dormitory to be attached to the westerly side of McDowell Hall.

(4) The two annexes will be attached to the existing Asbury Building. This represents a change from the original plan.

(5) The two annexes will house academic facilities. Annex 1 will house the Department of Earth Sciences. Annex 2 will house the Department of Languages and Linguistics.

(6) The Department of Highways and Traffic on February 23, 1966 offered an objection to the granting of this appeal to erect an eight story dormitory. This objection is based on the lack of provisions for adequate parking facilities in connection with this dormitory addition. In addition, the Department notes that any "additional traffic generated by this structure would have access points on Nebraska Avenue and at a signalized location on Massachusetts Avenue. However, -\*\*\* 12, parking spaces will be lost, and \*\*\* there is no provision for additional parking space to accommodate users of the proposed dormitory."

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(7) After amendment of the appeal, the Department of Highways and Traffic offered no objection to the granting of this appeal, "if adequate off-street parking facilities are provided for the occupants of the new wings."

(8) The National Capital Planning Commission recommended approval of the appeal as amended.

(9) There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

The Board is of the opinion that the proposed campus improvements are consistent with the development plan of the university. The proposed development is not likely to become objectionable to neighboring property.

An examination of the appellant's plans reveals that the proposed roof structures are in compliance with the intent and purpose of Section 3308 of the Zoning Regulations. The roof structures will harmonize with the main structure in architectural character, material and color.

Further, the Board concludes that the granting of this appeal will be in harmony with the general purpose and intent of the Zoning Regulations and Map.

The Board has given careful consideration to the provisions of Sections 3101.4 and 3101.46 of the Zoning Regulations and the jurisdiction and power of the Board with respect to these provisions. Nothing contained in either of these Sections of the Regulations definitely gives to the Board the power to approve or disapprove a "plan for developing the campus" submitted by any university. However, the Board has general jurisdiction to interpret the Zoning Regulations. In addition, the implication of these Sections of the Regulations is very strong and, in fact, is made almost mandatory by Section 3101.4, that any campus plan submitted by a university must be approved by the Board of Zoning Adjustment after submission to the National Capital Planning Commission and the Director, Department of Highways and Traffic.

No action has yet been taken by the Board of Zoning Adjustment approving or disapproving the 1985 Master Plan of American University but such action will be taken. Nothing contained in this Order should be construed as to constitute approval or disapproval of the 1985 Master Plan submitted by American University.